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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,)
10 Plaintiff,) Case No.: 2:20-mj-00709-BNW-1
11 vs.)
12 SHEENA ELKIND,) **STIPULATION TO CONTINUE
13 PRELIMINARY EXAMINATION DATE
14 (ELEVENTH REQUEST)**
15 Defendant.)

16)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
17 Acting United States Attorney, District of Nevada, and Edward G. Veronda, Assistant
18 United States Attorney, counsel for the United States of America, and Gabriel L. Grasso,
19 Esq, counsel for SHEENA ELKIND, that the Preliminary Examination hearing currently
20 scheduled for January 27, 2021 at 10:00 a.m., be vacated and set to a date and time
21 convenient to this court but no sooner than ninety (90) days.
22
23 The Stipulation is entered into for the following reasons:
24
25 1. Following continued investigation by both parties to this matter, plea negotiations
26 are continuing and will require the additional requested time to resolve.
27
28 2. Ms. ELKIND is on Pretrial Release and does not object to the continuance.
3. The parties agree to the continuance.

- 1 4. The additional time requested herein is not sought for purposes of delay, but
2 merely to allow counsel for defendant sufficient time within which to be able to
3 effectively and complete investigation of the discovery materials provided.
4 5. Denial of this request for continuance would result in a miscarriage of justice.
5 6. The additional time requested by this Stipulation is excusable in computing the
6 time within which the trial herein must commence pursuant to the Speedy Trial
7 Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors
8 under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).
9 7. This is the eleventh request for a continuance of the preliminary hearing date in
10 this case.

12 DATED this 19th day of January 2022.

13 GABRIEL L. GRASSO, P.C.
14 Counsel for SHEENA ELKIND

15 By /s/ Gabriel L. Grasso
16 GABRIEL L. GRASSO, ESQ.

13 CHRISTOPHER CHIOU
14 Acting United States Attorney

15 By /s/ Edward G. Veronda
16 Assistant United States Attorney

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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,)
10 Plaintiff,) Case No.: 2:20-mj-00709-BNW-1
11 vs.)
12 SHEENA ELKIND,) **FINDINGS OF FACT, CONCLUSIONS**
13) **OF LAW AND ORDER**
14 Defendant.)
15 _____

16 **FINDINGS OF FACT**

17 Based on the pending Stipulation of counsel, and good cause appearing therefore,
18 the Court finds that:

- 19 1. Plea negotiations are continuing and will require the additional requested time to
20 resolve
- 21 2. Ms. ELKIND is on Pretrial Release and does not object to the continuance.
- 22 3. The parties agree to the continuance.
- 23 4. The additional time requested herein is not sought for purposes of delay, but
24 merely to allow counsel for defendant sufficient time within which to be able to
25 effectively and complete investigation of the discovery materials provided.
- 26 5. Denial of this request for continuance would result in a miscarriage of justice.

6. The additional time requested by this Stipulation is excusable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).
7. This is the eleventh request for a continuance of the preliminary hearing date in this case.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

IT IS THEREFORE ORDERED that the Preliminary Examination hearing currently scheduled for January 27, 2022 at 1:00 p.m. be vacated and continued to April 28, 2022 at 10:00 a.m.

DATED this 21st day of January . 2022.

Brenawekan
United States Magistrate Judge